

PATENT APPLICATION DECLARATION

(Attorney's Docket No.: 3100.002US1)

Each of the Applicants named below hereby declares as follows:

1. My residence, post office address and country of citizenship given below are true and correct.

2. I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought in the patent application entitled "ENDODERM, CARDIAC AND NEURAL INDUCING FACTORS," Serial No. 08/878,474, filed June 18, 1997, and I have reviewed and understand the contents of the specification, including its claims.

3. I acknowledge my duty to disclose to the Office all information known to me to be material to patentability of this application, in accordance with 37 C.F.R. Section 1.56, which is defined on the attached page.

4. This application claims the benefit of U.S. Provisional Application No. 60/020,150, filed June 20, 1996. I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, as defined in §1.56, which occurred between the filing date of the prior application and the filing date of this application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: FEB 22, 1999

Residence and Post Office Address: Edward M. De Robertis
16958 Dulce Ynez Lane
Pacific Palisades, California 90272
(Citizenship: U.S.A.)

Date: 22 - 2 - 99

Residence and Post Office Address: Teyvis Bouwmeester
Ploeck 56
69117 Heidelberg, Germany
(Citizenship: The Netherlands)

Section 1.56 Duty to Disclose Information Material to Patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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Date: 8/31/98



Edward M. De Robertis
Residence and 16958 Dulce Ynez Lane
Post Office Address: Pacific Palisades, California 90272
(Citizenship: U.S.A.)

Date: 9/4/98



Tewis Bouwmeester *
Residence and 827 Levering Avenue, Apt. #708
Post Office Address: Los Angeles, California 90024
(Citizenship: The Netherlands)

* new address: Tewis Bouwmeester

-1-

Serial No.: 08/878,474

Plöck 56
69117 Heidelberg, Germany
(Citizenship: The Netherlands)

0000341074000

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PATENT APPLICATION DECLARATION

(Attorney's Docket No.: 3100.002US1)

(UC Case No.: LA96-092-01)

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Date:

09/18/97

Co De Roberts

**Residence and
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Edward M. De Robertis
16958 Dulce Ynez Lane
Pacific Palisades, CA 90272
(Citizenship: U.S.A.)

Date:

09/18/97

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**Residence and
Post Office Address:**

Tewis Bouymeester
827 Lavering Avenue, Apt. #708
Los Angeles, California 90024
(Citizenship: The Netherlands)

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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: De Robertis et al. Examiner: Unknown
Serial No. 09/552,988 Group Art Unit: 1646
Filed: April 21, 2000 Docket No. 510015-248
Title: ENDODERM, CARDIAC AND NEURAL INDUCING FACTORS

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper and its enclosures are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 5, 2000


Amber Stewart

REVOCATION AND SUBSTITUTE POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application, I hereby revoke all power of attorney heretofore given and hereby appoint:

Charles Berman, Reg. 29,249
Louis J. Bovasso, Reg. 24,075
Marc E. Brown, Reg. 28,590
Christopher Darrow, Reg. 30,166
Michael B. Farber, Reg. 32,612
Scott R. Hansen, Reg. 38,486
Michael D. Harris, Reg. 26,690
Douglas N. Larson, Reg. 29,401
Spyros J. Lazaris, Reg. 45,981
Sung Oh, Reg. P45,583
David J. Oldenkamp, Reg. 29,421
William Poms, Reg. 18,782
Alan C. Rose, Reg. 17,047
Charles Rosenberg, Reg. 31,464

Guy P. Smith, Reg. 20,142
Ronald S. Tamura, Reg. 43,179
Gregory B. Wood, Reg. 28,133
Daniel Chapik, Reg. 43,424
Harold D. Jastram, Reg. 19,777
Alan D. Kamrath, Reg. 28,227
Chad Klingbeil, Reg. 33,002
Craig J. Lervick, Reg. 35,244
Cyrus Morton, Reg. 44,954
Bruce Canter, Reg. 34,792
Louis C. Cullman, Reg. 39,645
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Kurt A. MacLean, Reg. 31,118
Ben H. Bedi, Reg. 39,904
Everitt George Beers, Reg. 40,508
Michael K. Bosworth, Reg. 28,186
Justin F. Boyce, Reg. 40,920
Chris W. Chou, Reg. 41,672
Anthony B. Diepenbrock III, Reg. 39,960
Robert O. Guillot, Reg. 28,852
Claude A.S. Hamrick, Reg. 22,586
Esther La, Reg. 43,734
Leah Sherry, Reg. 43,918
Marc Bobys, Reg. 45,267

whose address is:

OPPENHEIMER WOLFF & DONNELLY LLP

2029 Century Park East, 38th Floor
Los Angeles, California 90067-3024
Telephone (310) 788-5000
Telefax (310) 788-5100
Attention: Krista Vink Venegas

to represent the undersigned before the United States Patent and Trademark Office and to make or receive payments on behalf of the undersigned. Please direct all future correspondence and telephone calls to:

OPPENHEIMER WOLFF & DONNELLY LLP

2029 Century Park East, 38th Floor
Los Angeles, California 90067-3024
Telephone (310) 788-5000
Telefax (310) 788-5100
Attention: Krista Vink Venegas

Linda S. Stevenson

Name: Linda S. Stevenson

November 27, 2000
Date

Title: Manager, Patent Prosecution

ASSIGNMENT

U.C. Case No. 2001-054-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Edward M. DeRobertis 2. Terwis Bouwmeester

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located at 1111 Franklin Street, 5th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

ENDODERM, CARDIAC AND NEURAL INDUCING FACTORS

and which is found in

- (a) _____ U.S. provisional application filed herewith and listing the above named persons as inventors
(b) _____ U.S. patent application filed herewith and listing the above named persons as inventors
(c) x U.S. application serial no. 09/552,988, filed on April 21, 2000
(d) _____ U.S. Patent No.: _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNORS(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalent as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States an any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

 7 day of December, 2000

executed this

 8 day of December, 2000

Signature of Inventor(s)

Edo De Robertis

Edward M. DeRobertis

Signature of Inventor(s)

Terwis Bouwmeester